

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE ARKANSAS

DAVID C. JULIEN

PLAINTIFF

v.

CASE No.: 06-5157

DEPUTY WILLIAM WAHSBOURN, in
his Individual and Official Capacity; JERAH
KERN, as personal representative for the estate
of Wesley Kern in his Individual and Official
Capacity; NURSE SUSAN JOHNSON, in her
Individual and Official Capacity; and DEPUTY
CUZICK in his Individual and Official Capacity

DEFENDANTS

ORDER

Before the Court is the Stipulation of Voluntary Non-Suit (Doc. 35), filed by the Plaintiff. Plaintiff states that he and the other parties to the above-styled case, through their attorneys, stipulate to a voluntary dismissal without prejudice.

Plaintiff's Motion (Doc. 35) is granted. Accordingly, pursuant to Federal Rule of Civil Procedure 41 (a) (1)(ii), this case is hereby DISMISSED without prejudice.

IT IS SO ORDERED this 22nd day of June, 2007.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE